IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION no.1872 of 2005

In

Second Appeal No.741 of 2005

Shri Ankush Govind Nalawade .. Appellant

V/s

Laxmibai Dattaram Nikam and Anr..Respondent

Kishor Patil with Kambli for Appellant

Mr.A.S. Khandeparkar for Respondent No.1

CORAM:S.R.SATHE,J.

DATED:21st July 2006

P.C.:-

1. Heard both the learned advocates.

2. Shri Khandeparkar learned advocate for respondent, on instructions of his client who are present before the Court submitted that so far as the injunction granted in favour of the appellant in respect of house property and gobar gas plant is concerned, respondents have no objection to continue the same till the disposal of this appeal. He, however, submits that so far as other suit

properties are concerned the present Respondent/original plaintiff in regular Civil Suit No. 122/2001 are in actual possession of the same.

3. Under such circumstances, as suggested by learned advocate for appellant he has no objection to expedite the hearing of the appeal.

4. In view of the above, both the parties are directed to maintain status-quo as of today.

5. Hearing of the appeal is expedited.

6. Application No.1872 of 2005 is disposed of accordingly.

(S.R. SATHE, J.)